I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria

Dated: June 24, 2008

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCON II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Errico et al.

Application No.: 10/784,637

Filed: February 23, 2004

For: INSTRUMENTATION FOR PROPERLY SEATING AN ARTIFICIAL DISC IN AN

INTERVERTEBRAL SPACE

: Group Art Unit: 3738

: Examiner: B. E.

: Pellegrino

AMENDMENT UNDER 37 CFR 1.116

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated January 25, 2008, finally rejecting claims 1-8, 13, 16-21, and 24, please amend the above-identified U.S. patent application as follows: